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THIS IS A MAJOR JURY CASE.

ASSESSMENT OF DAMAGES
HEARING REQUIRED.

Filed and Accepted by the
Office of the Clerk of the Court
ATTORNEYS FOR PLAINTIFFS
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DORON ZAHAL and DEBORAH ZAHAL, h/w
59 Durand Road
Abington Township, PA 19006

vs.

R. C. MOORE, INCORPORATED
8 Ginn Road
Scarborough, ME 04074

and

SAMUEL LEE
9 Sun Hill Road
Raymond, NH 03077

COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY

No:

CIVIL ACTION - COMPLAINT - NOTICE TO DEFEND
2V - MOTOR VEHICLE ACCIDENT

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Philadelphia Bar Association
Lawyer Referral and Information Service,
One Reading Center,
Philadelphia, Pennsylvania 19107
(215) 238-1701

LE HAN DEMANDADO A USTED EN LA CORTE. SI USTED QUIERE DEFENDERSE DE ESTAS DEMANDAS EXPUESTAS EN LAS PAGINAS SIGUIENTES, USTED TIENE VIENTE (20) DIAS, DE PLAZO AL PARTIR DE LA FECHA DE LA DEMANDA Y LA NOTIFICATION. HACE FALTA ASENTAR UNA COMPARENCIA ESCRITA O EN FORMA ESCRITA SUS DEFENSAS O SUS OBJECIONES A LAS DEMANDAS EN CONTRA DE SU PERSONA. SEA AVISADO QUE SI USTED NO SE DEFIENDE, LA CORTE TOMARA MEDIDAS Y PUEDE CONTINUAR LA DEMANDA EN CONTRA SUYA SIN PREVIO AVISO O NOTIFICACION. ADEMAS, LA CORTE PUEDE DICI DIR A FAVOR DEL DEMANDANTE Y REQUIERE QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. USTED PUEDE PERDER DINERO O SUS PROPIEDADES U OTROS DERECHOS IMPORTANTES PARA USTED.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Asociacion de Liceneados de Filadelfia
Servicio de Referencia e Informacion Legal
One Reading Center,
Filadelfia, Pennsylvanain 19107
(215) 238-1701



Case ID: 210300235

CIVIL ACTION - COMPLAINT

1. Plaintiffs **DORON ZAHAL** and **DEBORAH ZAHAL** are adult individuals, husband and wife, who reside at 59 Durand Road, Abington Township, PA 19006.

2. Defendant **R. C. MOORE, INCORPORATED**, a/k/a **R. C. MOORE, INC.** (hereinafter referred to as "Defendant **R. C. MOORE**") is a corporation, organized and/or existing under Pennsylvania law, with the entity number 3100840 on the Pennsylvania Corporate Bureau website, which has as its principal place of business 8 Ginn Road, Scarborough, ME 04074, and which regularly conducts business in the Commonwealth of Pennsylvania and in the City and County of Philadelphia.

3. Defendant **SAMUEL LEE** is an adult individual who resides at 9 Sun Hill Road, Raymond, NH 03077, who at all times relevant hereto was the agent, servant, workman or employee of Defendant **R. C. MOORE**, and who may be served at the offices of his employer, **R. C. MOORE, INC.**, at 8 Ginn Road, Scarborough, ME 04074.

4. On Thursday, September 6, 2019, Plaintiff **DORON ZAHAL** was the operator of his 2006 Toyota Avalon motor vehicle, which had been traveling southbound on Huntingdon Pike in Rockledge, Montgomery County, Pennsylvania.

5. On the aforesaid date, at approximately 12:30 p.m., the vehicle which Plaintiff was operating was stopped in southbound traffic on Huntingdon Pike at or near its intersection with Church Road in Rockledge, Pennsylvania, when it was struck by a 2017 Volvo tractor that was towing a semi-trailer. The striking tractor-trailer was owned by Defendant **R. C. MOORE** and operated by its agent or employee, Defendant **SAMUEL LEE**. The Defendants' tractor-trailer was attempting to turn from northbound Huntingdon

Pike onto westbound Church Road when it violently struck the rear portion of Plaintiff's stopped motor vehicle. The impact caused extensive property damage and serious injuries to Plaintiff **DORON ZAHAL**.

6. As the direct result of the carelessness and negligence of the Defendants (more fully described hereinafter) Plaintiff **DORON ZAHAL** suffered serious injuries (more fully described hereinafter).

7. At all times relevant hereto, Defendant **R. C. MOORE** regularly conducted business in Philadelphia County as required for venue here by Pa.R.C.P. 2179.

8. The Plaintiffs have full tort status by operation of law.

COUNT I
Plaintiff DORON ZAHAL v. Both Defendants
Negligence

9. Plaintiffs incorporate paragraphs one (1) through eight (8) above by reference, as fully as though they were set forth here at length.

10. Plaintiff **DORON ZAHAL** avers that the aforesaid collision was caused by the negligence and carelessness of Defendant **R. C. MOORE**, as the owner of the striking vehicle and the employer of Defendant **SAMUEL LEE**, its agent, employee, servant and/or workman who was acting within the course and scope of his employment, and by the negligence and carelessness of Defendant **SAMUEL LEE**, individually, which negligence and carelessness includes, without limitation, the following acts or omissions:

- (a) Operating the Defendants' motor vehicle in a careless and negligent manner;
- (b) Operating the said motor vehicle at an excessive rate of speed under

the circumstances;

- (c) Failing to operate the said motor vehicle with due regard for the rights, safety, point and position of the Plaintiff's vehicle, and the Plaintiff **DORON ZAHAL**;
- (d) Failing to avoid a collision with the rear of the Plaintiff's stopped motor vehicle;
- (e) Proceeding to turn left onto Church Road when it was not safe to do so;
- (f) Failing to keep a proper look out for traffic, including, but not limited to Plaintiff's stopped vehicle;
- (g) Failing to comply with the assured clear distance ahead rule, as per case law and the Pennsylvania Motor Vehicle Code;
- (h) Violating the laws, rules and regulations relating to the operation of motor vehicles upon public highways, particularly those relating to careless driving, maintaining an assured clear distance ahead, safely making left turns, and traveling at an unreasonably high speed for conditions; and,
- (i) Failing to adequately maintain, service, and or inspect the Defendants' said motor vehicle.

11. As a direct result of the aforesaid collision and the negligence and carelessness of the Defendants as described above, Plaintiff **DORON ZAHAL** was caused to sustain serious injuries including, but not limited to: left partial thickness tear of the

supraspinatus tendon, cervical sprain and strain; thoracic sprain and strain; lumbar sprain and strain; cervical radiculopathy; lumbar radiculopathy; left shoulder pain/sprain; right hip pain/sprain; left hip pain/sprain; muscle spasms in the cervical, thoracic and lumbar paraspinal muscles and the trapezius muscles; and, post-traumatic cephalgia.

12. Plaintiff **DORON ZAHAL** may have sustained other injuries and preexisting conditions were, or may have been, aggravated.

13. Plaintiff **DORON ZAHAL** avers that the injuries he sustained may be of a permanent nature and character.

14. As a direct further result of the aforesaid collision, Plaintiff **DORON ZAHAL** has been unable in the past, and is likely to continue to be unable in the future, to attend his usual duties, activities, vocations and/or avocations, all to his great financial loss and detriment.

15. As a further direct result of the aforesaid collision and resulting injuries, Plaintiff **DORON ZAHAL** has been required to expend, and/or has become liable for the payment of, substantial sums of money for medicine and medical attention for the care, treatment, and attempted cure of the injuries he sustained, all to his great financial loss and detriment.

16. As a further direct result of the aforesaid collision and resulting injuries, Plaintiff **DORON ZAHAL** has been caused to undergo in the past, and is likely to undergo in the future, severe pain, suffering, inconvenience, and embarrassment, all to his great financial loss and detriment.

WHEREFORE, Plaintiff **DORON ZAHAL** demands damages of the Defendants **R. C. MOORE** and **SAMUEL LEE** in a sum in excess of **FIFTY THOUSAND (\$50,000.00) DOLLARS** plus costs.

COUNT I

Plaintiff DEBORAH ZAHAL v. Both Defendants
Negligence-Loss of Consortium

17. Plaintiffs incorporate paragraphs one (1) through sixteen (16) above by reference, as fully as though they were set forth here at length.

18. As a direct result of the injuries suffered by her husband, Plaintiff **DEBORAH ZAHAL** has suffered and will in the future suffer the loss of usual services and consortium of her husband, Plaintiff, **DORON ZAHAL**, and has been and will be required to provide special services and care for him.

WHEREFORE, Plaintiff, **DEBORAH ZAHAL**, demands damages of Defendants **R. C. MOORE** and **SAMUEL LEE** in a sum in excess of **FIFTY THOUSAND (\$50,000.00) DOLLARS** plus costs.

JEFFREY R. LESSIN & ASSOCIATES, P.C.

BY: *Jeffrey R. Lessin*
JEFFREY R. LESSIN, ESQUIRE
MARK T. RICHTER, ESQUIRE
Attorneys for Plaintiffs

VERIFICATION

I, Doron Zahal , state that I am the Plaintiff in this matter and that the statements made in the foregoing Complaint-Civil Action are true and correct to the best of my knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa. C.S.A. Section 4909 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Doron Zahal', followed by a horizontal line.